

# **EXHIBIT C**

## **EXHIBIT 8**

*Space Data Corporation v. Alphabet Inc. et al.*  
Case No. 5:16-cv-03260-BLF (NC)

**Plaintiff's Presumptive Final Witness List**

Space Data Corporation ("SDC") anticipates calling in its case-in-chief the following witnesses, either live or by deposition.

This list is not a commitment that Plaintiff will call any particular witness at trial, or a representation that any of the witnesses listed are available or will appear for trial. If any witness is unavailable, Plaintiff reserves the right to use his or her deposition testimony. Plaintiff reserves the right to call any witness identified as a "live" witness by designation and vice versa.

Plaintiff also reserves the right to call at trial in its case: (1) any persons identified by Defendants on its witness list (e.g., Astro Teller and Sal Candido) live or by deposition; and (2) additional witnesses not identified herein based upon any developments that may occur leading up to and/or during the course of the trial. These disclosures are made based on the information that is reasonably available to SDC at this time and at this stage of the proceedings. Plaintiff reserves the right to modify its list depending on case developments and court rulings. Further investigation and analysis may yield additional information. As additional information becomes available, SDC reserves the right to supplement, revise, correct, clarify or otherwise amend these disclosures.

Plaintiff reserves all rights with respect to testimony that would be solely for the purpose of impeachment or rebuttal, or witnesses that would be called solely for impeachment or rebuttal.

Plaintiff reserves the right to modify the time estimates listed for each witness, including the right to make modifications based on Defendants' witness list and estimates. The current list includes spaces for the insertion of cross-examination time estimates by Defendants.

This list is provided expressly subject to and without waiving any applicable privileges, protections or other immunities, including the attorney-client privilege and the work-product doctrine.

**A. Fact Witnesses Who May Be Called in Connection to Plaintiff.**

<b>Witness</b>	<b>Short Statement of the Substance of Testimony</b>	<b>Estimated Length (Direct/Cross)</b>	<b>Whether Live or By Deposition</b>
Gerald Knoblach	<p><i>Gerald Knoblach is the CEO and co-founder of SDC. Mr. Knoblach is expected to testify about the concept development, research, planning, and organizational work for SDC; conception and reduction to practice of the inventions claimed in the '706 Patent; reaction to the inventions covered by the '706 Patent; inventorship of the '706 Patent; secondary considerations of non-obviousness as to the '706 Patent within his personal knowledge; the prosecution of the '706 Patent and related patents or patent applications, including the issuance of a certificate of correction for the '706 Patent; research, development, design, function, and operation of SDC's Practicing Products; SDC meetings with Google; SDC NDAs and NDA with Google; disclosures in the February 19, 2008 email to Mike Pearson re "Space Data/Google Confidentiality Agreement"; trade secrets and confidential information shared with Google; the information identified in Space Data's Fifth Amended 2019.210 Trade Secret Disclosures; wind analysis; research and development of steering balloons, managing a fleet of balloons and/or stationkeeping; thermal management; SDC NOC tours and security; Google's February 2008 tour; post-tour emails, conversations and interactions with Google; steps taken to protect trade secrets and confidential information; specific features of each of the SDC trade secrets, the '706 Patent; competition with Google and the market for SDC's technologies; SDC spectrum; marketing and sales of its product; SDC customers; efforts to provide wireless communications services to Puerto Rico; funding; damages caused by Google's misappropriation of the trade secrets and breach of contract; the cost of developing SDC's trade secrets; SDC's performance under the parties' NDA; subjects covered in his depositions; information pertaining to topic(s) for which he is a FRCP 30(b)(6) designee; and factual</i></p>	<p>Direct: 2 hours Cross: [Google to fill]</p>	Live

	assertions in the FAC. He may also testify concerning documents on the exhibit list that are either authored by or were sent to him or are the subject matter of his declarations submitted in the case; and the maintenance and content of SDC business records on the exhibit list.		
George Ritchie	<i>Mr. Ritchie is the C.F.O. of SDC.</i> Mr. Ritchie is expected to testify about SDC's business operations, including costs, logistics, strategy, finances, business and financial planning; SDC financial statements from 2008-present; SDC revenues, costs and profits; SDC development costs and expenses related to trade secrets; the development, contents, purpose and use of the financial model shared with Google; SDC business plans for providing broadband communications services to commercial customers from 2008-present; SDC's technology, finances, business relationships; funding; SDC's efforts to maintain the secrecy of its proprietary confidential information, including trade secrets; competition with Google; market for and sales of SDC's products; subjects covered in his deposition; information pertaining to topic(s) for which he is a FRCP 30(b)(6) designee; and factual assertions in the FAC. He may also testify concerning documents on the exhibit list that are either authored by or were sent to him or on the subject matter of his declarations submitted in this case; and the maintenance and content of SDC business records on the exhibit list.	Direct: 0.5 hours Cross: [Google to fill]	Live
Jim Wiesenberg	<i>Mr. Wiesenberg is SDC's Chief Strategy Officer and Board Member.</i> Mr. Wiesenberg is expected to testify about SDC strategic alliances with wireless service providers and equipment manufacturers; SDC business and spectrum; NOC tours and security; meetings with Google and Google's February 2008 tour and information shared; financial information shared with Google; SDC efforts to protect trade secrets and confidential information; SDC Private Placement Memorandum; subjects covered in his deposition; and factual assertions in the FAC. He may also testify concerning documents on the exhibit list that are either authored by or were sent to him.	Direct: 0.25 hours Cross: [Google to fill]	Live
Eric Frische	<i>Eric Frische co-founded SDC and served as its CTO and as a Director.</i> Mr. Frische is expected to testify about the conception and reduction to practice of the alleged inventions claimed in the '706 Patent; reaction to the inventions covered by the '706 Patent; inventorship of the '706 Patent;	Direct: 0.5 hours Cross: [Google to fill]	Live

	secondary considerations of non-obviousness as to the '706 Patent within his personal knowledge; the prosecution of the '706 Patent and/or related patents or patent applications; balloon and payload design and testing; the design of SDC's technology for various features including steering its balloons, managing a fleet of balloons and/or stationkeeping; research and development of thermal management; the NOC; systems and information displayed and explained to Google during facility tour; research, development and design of flight data monitoring system information displayed and explained to Google; the disclosures identified in his February 19, 2008 email to Mike Pearson re: "Space Data/Google Confidentiality Agreement"; subjects covered in his depositions; information pertaining to topic(s) for which he is a FRCP 30(b)(6) designee; and factual assertions in the FAC. He may also testify concerning documents on the exhibit list that are either authored by or were sent to him.		
Chad DeMeese	<i>Mr. DeMeese is a former SDC NOC operator and GIS software engineer.</i> Mr. DeMeese is expected to testify about the information identified in Space Data's Fifth Amended 2019.210 Trade Secret Disclosures; the research, development, testing and use by SDC of its confidential information and trade secrets identified in the FAC and in the Fifth Amended 2019.210 Trade Secret Disclosures; the wind data on display during Google's February 2008 tour; testing, function, operation and use of SDC technology for steering its balloons, managing a fleet of balloons and/or stationkeeping; the "NOC" systems displayed and explained to Google, including data monitored and displayed; testing, function, operation and use of flight data displayed and explained to Google; subjects covered in his depositions; information pertaining to topic(s) for which he is a FRCP 30(b)(6) designee; and the factual assertions in the FAC. He may also testify concerning documents on the exhibit list that are either authored by or were sent to him; and the maintenance and content of SDC business records on the exhibit list.	Direct: 0.5 hours Cross: [Google to fill]	Live
Larry Page	<i>Mr. Page is Google's co-founder, Chief Executive Officer of Alphabet Inc., and former Google C.E.O.</i> Mr. Page may testify about meetings with SDC and Google's February 2008 tour; knowledge of photos taken but not emailed or posted "for obvious reasons" but put on the wiki; discussions,	Direct: 0.75 hours Cross: [Google to fill]	Live

	emails, analyses, meetings and communications regarding SDC and SDC balloon technology; meetings, emails and communications with Richard DeVaul, Astro Teller, Sergey Brin, Sebastian Thrun, Phil Gossett and other Google employees re: Loon development; meetings, emails and communications with Anne Bray and others regarding Loon's commercial viability and success; the "X" Hot List; "unconventional use cases"; conclusions on how Google could use SDC technology; the spectrum survey; decision to greenlight DeVaul's idea and funding; communications with Dylan Casey to roll-out an SDC constellation in 2008; Loon strategy, roll-out and practices; Loon projections and financials; Alphabet and Google financials; documents on the exhibit list that are either authored by or were sent to him and any subjects covered in his deposition.		
Sergey Brin	<i>Mr. Brin is Google's co-founder and President of Google's parent company, Alphabet Inc.</i> Mr. Brin may testify about meetings with SDC and Google's February 2008 tour; knowledge of photos taken but not emailed or posted "for obvious reasons" but put on the wiki; knowledge of WSJ article; Mr. Brin's 2011 communications (including emails) with Sebastian Thrun regarding SDC and the Wall Street Journal article; discussions, emails, analyses, meetings and communications regarding SDC and SDC balloon technology; knowledge of Google's lost spectrum bid; meetings, emails and communications with Richard DeVaul, Astro Teller, Larry Page, and other Google employees re: Loon development; meetings, emails and communications with Anne Bray and others regarding Loon's commercial viability and success; bi-weekly and monthly Loon business update meetings; Loon manager Mike Cassidy's July 2014 economic review; Loon strategy, roll-out and practices; Loon projections and financing; Alphabet and Google financials; documents on the exhibit list that are either authored by or were sent to him and any subjects covered in his deposition.	Direct: 0.75 hours Cross: [Google to fill]	Live
Richard DeVaul	<i>Mr. DeVaul is a former Director at Alphabet, Inc.'s Research Lab X and lead Loon inventor.</i> Mr. DeVaul may testify about his work on a balloon-borne internet constellation; discussions, emails, meetings or other communications with Larry Page, Sergey Brin, Astro Teller, Dan McCloskey, Minnie Ingersoll, Josh Weaver, Sebastian Thrun, Larry Alder,	Direct: 1.25 hours Cross: [Google to fill]	Live



	Phil Gossett, and any other Google employee re: balloon technology in 2008; DeVaul's drawings on the whiteboard; Daedalus presentation; the development of Daedalus/Project Loon; Project Loon; the brainstorming session entitled "WiMax for the World," and development and use of wind data or wind models for Daedalus/Project Loon; Loon financial and cost projections; conception and reduction to practice of the '678 Patent and related patents/applications; inventorship of the '678 Patent and related patents/applications; prosecution of the '678 Patent and related patents/applications; documents on the exhibit list that are either authored by or were sent to him and any subjects covered in his deposition.		
Larry Alder	<i>Mr. Alder was Co-Leader of Google's Alternative Access Group and served as Director of Access Strategy at Google. Mr. Alder may testify about meetings with SDC and Google's February 2008 tour; discussions, emails, analyses, meetings and communications regarding SDC and SDC balloon technology; knowledge of SDC NDA; discussions, emails, meetings or other communications with Richard DeVaul, Dan McCloskey, Sebastian Thrun, and other Google employees; work on balloon-based networks for Google.org; presentation deck to use constellation balloons in Africa; documents on the exhibit list that are either authored by or were sent to him and any subjects covered in his deposition.</i>	Direct: 0.5 hours Cross: [Google to fill]	Live
Minnie Ingersoll	<i>Ms. Ingersoll worked at Google for 12 years as a project manager and co-founded Google's Access Group. Ms. Ingersoll may testify about meetings with SDC and Google's February 2008 tour; discussions, emails, analyses, meetings and communications regarding SDC and SDC balloon technology; creation, maintenance, the addition of content thereto, and the content stored therein, on the SDC wiki; uploads to the wiki; redaction of Google financial information on the wiki; access of Google employees to the wiki; "Spectrum-notes alias" and the "Daedalus alias"; the "Loon" alias; request to Gossett to upload information to the wiki; communications with Alec Proudfoot and Ryan Falor; knowledge of SDC NDA; Google's consideration of using high altitude balloons to provide communications bandwidth in relation to Google's tenth anniversary as a company in September 2008; documents on</i>	Direct: 0.75 hour Cross: [Google to fill]	Live



Kyle Brookes	the exhibit list that are either authored by or were sent to her and any subjects covered in her deposition. <i>Mr. Brookes is a Senior Staff Mechanical Loon Engineer. Mr. Brookes may testify regarding Loon technology, including thermal management techniques and flight termination systems; documents on the exhibit list that are either authored by or were sent to him and any subjects covered in his deposition or for which he was a FRCP 30(b)(6) designee.</i>	Direct: 0.5 hours Cross: [Google to fill]	Live
Josh Weaver	<i>Mr. Weaver is a Google engineer who worked on Project Daedalus and Loon development. Mr. Weaver may testify about his involvement (discussions, emails, meetings) related to SDC; his work with others related to Daedalus; his August 2011 request that Google engineers share “what lessons were learned” from “the Space Data partnerships back in 2008”; the identity of all participants in these discussions and/or meetings; the identification of documents on internal wiki sites shared; discussions, emails, meetings or other communications with Richard DeVaul, Phil Gossett, Sebastian Thrun, Larry Alder, Dan McCloskey and other Google employees regarding balloon communication systems; DeVaul’s development and model of his high altitude balloon project idea; documents on the exhibit list that are either authored by or were sent to him; any subjects covered in his depositions and information pertaining to topic(s) for which he is a FRCP 30(b)(6) designee.</i>	Direct: 0.5 hours Cross: [Google to fill]	Live
Daniel Conrad	<i>Mr. Conrad was a Google engineer, served as an early member of the Android and “Access” teams at Google and Android business project manager. Mr. Conrad may testify regarding meetings with SDC and the SDC February 15 visit; photos and notes taken; conversations with Minnie Ingersoll, Larry Alder, Sergey Brin, Mike Pearson, Phil Gossett, Larry Page, Chris Sacca, and Dylan Casey; members of the alternative access team; SDC wiki; uploads to the wiki; spectrum alias group; work related to the 700-MHz spectrum and other spectrum bands; SDC due diligence and task list; SDC NDA; SDC “potential acquisition”; Page and Brin’s independent desire to acquire SDC; SDC valuation; Google’s tenth anniversary and rollouts; documents on the exhibit list that are either authored by or were sent to him and subjects covered in his deposition.</i>	Direct: 0.5 hours Cross: [Google to fill]	Live

Daniel McCloskey	<p>Mr. McCloskey was a Google engineer and consultant on Loon. Mr. McCloskey was a Google inventor on numerous patents, often with Phil Gossett as a co-inventor. For several years, Mr. McCloskey served as head of Google's Advanced Technology and Projects Group. Mr. McCloskey may testify regarding SDC due diligence; potential SDC acquisition valuation; Google's SDC February 15 visit; SDC NDA; notes taken on the SDC tour; destruction of same; discussions with the Loon developers after Josh Weaver's "love to hear lessons learned" email; conversations and meetings with Richard DeVaul, Minnie Ingersoll, Josh Weaver and other Loon engineers about Project Loon; SDC wiki; uploads to the wiki; alternative access group and meetings; documents on the exhibit list that are either authored by or were sent to him; any subjects covered in his depositions or for which he was designated as a FRCP 30(b)(6) designee.</p>	Direct: 0.25 hours Cross: [Google to fill]	Live
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**B. Expert Witnesses Who Will be Called in Connection to Plaintiff.**

Witness List	Short Statement of the Substance of Testimony	Estimated Length (Direct/Cross)	Expert Theories, Conclusions and Bases	Whether Live or By Deposition
Sam Pullen	<i>Dr. Pullen is an expert retained by SDC to testify regarding infringement of the '706 patent by certain instrumentalities of Defendants and the validity of the '706 Patent. He will testify regarding the matters discussed in his expert report of September 14, 2018, his rebuttal report dated November 16, 2018, his depositions, and his declarations filed in this case, with respect to the '706 Patent.</i>	Direct: 1.25 hours Cross: [Google to fill]	<i>See attached curriculum vitae and report(s).</i>	Live
Christine Meyer	<i>Dr. Meyer is an expert retained by SDC to testify regarding damages for theft of trade secrets and breach of contract. She will testify regarding the matters disclosed in her expert report of September 14, 2018 and Addendum report dated November 6, 2018, and discussed in her deposition, with respect to theft of trade secrets and breach of contract.</i>	Direct: 0.25 hours Cross: [Google to fill]	<i>See attached curriculum vitae and report(s).</i>	Live

In addition to the witnesses identified above, SDC reserves the right to call any witness identified on Defendants' witness list. SDC has counter-designated deposition testimony of various witnesses designated by Defendants pursuant to Judge Freeman's Jury Pretrial Standing Order. Should Defendants introduce any deposition testimony it has designated, SDC reserves the right, in rebuttal, to introduce the testimony it has counter-designated.